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Attorney for the Defendant,
Latonia Smith

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LATONIA SMITH,

Defendants.

Case No. 2:19-cr-00304-RFB-EJY

**JOINT STIPULATION AND ORDER
TO CONTINUE HEARING DATE**

(FIRST REQUEST)

IT IS HEREBY STIPULATED AND AGREED by and between Telia Mary U. Williams, Esq., counsel for the defendant, Latonia Smith, and Steven W. Myhre, Esq., Assistant United States Attorney, counsel for the United States of America, that the competency hearing that is currently scheduled for January 5, 2021 at 9:00am, be vacated and reset to a time no sooner than the second week of January, 2021.

This Stipulation is entered into for the following reasons:

1. Counsel for the Defendant was supposed to have additional time to speak to Ms.

Smith this week to prepare her for her hearing, but the Bureau of Prison facility was unable to facilitate a call this week, due to absences of staff for the holiday observance.

2. Counsel for the Government has no objection to this continuance.
3. The Defendant is in custody, and does not object to a brief continuance, preferably for the second week of January 2021.
4. Denial of this request for continuance would result in a miscarriage of justice. The additional time requested in this stipulation is excludable in computing the time within which the trial in this matter must commence under the Speedy Trial Act, 18 U.S.C. § 3161(h)(6) and (h)(7)(A), in light of the factors under 18 U.S.C. § 3161(h)(7)(B)(i), (ii), and (iv).
5. For all the above-stated reasons, the ends of justice would best be served by a continuance of the competency hearing.
6. This is the first request for a continuance.

DATED: December 23, 2020

LAW OFFICE OF TELIA U. WILLIAMS

By: /s/ Telia Mary U. Williams

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*Attorney for Defendant,
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NICHOLAS A. TRUTANICH
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Attorney for Plaintiff

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Case No. 2:19-cr-00304-RFB-VCF

Plaintiff,

ORDER

vs.

LATONIA SMITH,

Defendant.

FINDINGS OF FACT

Based on the Stipulation of counsel, and good cause appearing therefore, the court finds that the Stipulation by, between, and among the United States, and defendant Latonia Smith, is entered into for the following reasons:

1. Counsel for the Defendant anticipated having additional time to speak to Ms. Smith this week to prepare her for her hearing, but the Bureau of Prison facility was unable to facilitate a call this week, due to absences of staff for the holiday observance.
2. Counsel for the Government has no objection to this continuance.
3. The Defendant is in custody, and does not object to a brief continuance, preferably for the second week of January 2021.
4. Denial of this request for continuance would result in a miscarriage of justice. The additional time requested in this stipulation is excludable in computing the time within which the trial in this matter must commence under the Speedy Trial Act, 18 U.S.C. § 3161(h)(6) and (h)(7)(A), in light of the factors under 18 U.S.C. § 3161(h)(7)(B)(i), (ii), and (iv).

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